

REMARKS/ARGUMENTS

Claims 1 and 3-22 remain in this application.

In the Office Action dated June 9, 2005, the only rejection lodged against the claims was a provisional double patenting rejection asserting that claims 1 and 3-22 of this application are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 of co-pending application no. 10/677,793. The examiner asserted that "although the conflicting claims are not identical, they are not patentably distinct from each other because the scope of the provisional claims appears to be the same as the application claims."

Applicant respectfully disagrees with the assertion that claims 1 and 3-22 of the present application are not patentably distinct from claims 1-16 of co-pending application 10/677,793. However, in order to expedite prosecution and minimize costs, applicant herewith submits a Terminal Disclaimer signed by the assignee of the present invention.

Accordingly, the double patenting rejection has been overcome and this application is in full condition for allowance. Formal notice of such allowance is respectfully requested.

Accompanying this response is an Information Disclosure Statement setting forth five (5) references recently cited in co-pending application no. 10/677,793.

Appl. No. 10/678,378
Amdt. dated July 25, 2005
Reply to Office Action of June 9, 2005

Any additional fee which might be due in connection with this application should be applied against our Deposit Account No. 19-0522.

Respectfully submitted,

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By 

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